

**REMARKS**

This amendment responds to the Office Action dated July 11, 2001 in which the Examiner rejected claims 31-32, 34-36 and 38 under 35 U.S.C. §102(a), rejected claims 33, 37, 39-42 under 35 U.S.C. § 103, and stated that claims 19-26 are allowed.

Claims 31, 35, 39 and 41 claim a photographic apparatus having a recording section(s) and a mode selector switch. The mode selector switch selects among a plurality of shooting and reproducing modes.

Through the structure of the claimed invention having a mode selector switch for selecting among a plurality of shooting and reproducing modes, as claimed in claims 31, 35, 39 and 41, the claimed invention provides a photographing apparatus functioning both as a still camera and a video camera and which entries to a database can be easily retrieved. The prior art does not show, teach or suggest a mode selector switch for selecting among a plurality of shooting and reproducing modes as claimed in claims 31, 35, 39 and 41.

Claims 31-32, 34-36 and 38 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Inoue* (U.S. Patent No. 5,710,954).

*Inoue* appears to disclose in Figure 17 a recording unit 125 detachably arranged in the camera as a so-called video movie unit for recording a moving image of an object using a magnetic tape. When a shutter 104 operates to store an image related to an object image in an image memory 111, as shown in Figure 19, a small still image is displayed on the lower left portion of a LCD monitor 112. A sequence when a scene in which a submonitor screen has three screens includes the steps shown in Figure 22. In particular, when a

shutter 104 operates to store an image related to an object image in the image memory 111, a display of submonitor under 1 is set off, an image which has been displayed in submonitor screen 2 is displayed in submonitor screen 1, an image which is displayed on submonitor screen 3 is displayed on submonitor 2 and an image which is newly stored in image memory 111 is displayed on submonitor screen 3. (col. 22, line 16 through col. 23, line 2) When the recording unit 125, in which the photographic optical system and image pick-up device of a video movie camera are not arranged, is connected to the camera, a moving image can be recorded on a video tape simultaneously with recording on a silver salt film. In this sequence, when the power supply of the camera is turned on, the LCD monitor 112 is turned on to monitor a moving image of an object. In this case, when a recording button for recording a moving image is set on, the video tape is fed to start recording. When a moving image having the best composition to be recorded on the film is obtained in recording an object, a release button is fully depressed. In this case, the shutter operates to perform exposure. At this time, the image memory 111 stores an object image at that time. The signal synthesizing unit 124 synthesizes the stored signal with a signal output from a signal processing unit 110 and the synthesized signal is displayed on the LCD monitor 112. A photographer can therefore selectively and immediately display and confirm previously photographed screens by an arbitrary display method. (col. 23, line 63 through col. 24, line 38)

Thus, *Inoue* merely discloses a winding mode input unit 126 which switches between single/continuous modes for film feeding or which uses a subscreen monitor on the monitor 112. Nothing in *Inoue* shows, teaches or suggests a mode selector switch for

selecting among a plurality of shooting and reproducing modes as claimed in claims 31, 35 (and 39, 41). Rather, *Inoue* merely discloses a winding mode input unit.

Since nothing in *Inoue* shows, teaches or suggests a mode selector switch for selecting among a plurality of shooting and reproducing modes as claimed in claims 31 and 35, it is respectfully requested that the Examiner withdraws the rejection to claims 31 and 35 under 35 U.S.C. § 102(e).

Claims 32, 34, 36 and 38 depend from claims 31 and 35 and recite additional features. It is respectfully submitted that claims 32, 34, 36 and 38 would not have been anticipated by *Inoue* within the meaning of 35 U.S.C. § 102(e) at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 32, 34, 36 and 38 under 35 U.S.C. § 102(e).

Claims 33, 37 and 39-42 were rejected under 35 U.S.C. § 103 as being unpatentable over *Inoue* in view of *Ootsuka* (U.S. Patent No. 5,774,754).

As discussed above, nothing in *Inoue* shows, teaches or suggests a mode selector switch for selecting among a plurality of shooting and reproducing modes as claimed in claims 39 and 41.

*Ootsuka* appears to disclose a camera having a switch 61 for changing the aspect ratio in a film image photographing mode. Subroutine "Aspect Ratio Changing" is described with reference to FIG. 32. In the subroutine "Aspect Ratio Changing", it is first discriminated whether the silver-halide still image photographing mode is set (Step #270). If this mode is not set, this subroutine proceeds to Step #284. If this mode is set, it is discriminated whether a flag ASP1F is set (Step #272). The flag ASP1F indicates that the

aspect mode is to be changed in the silver-halide still image photographing mode. If this flag ASP1F is set, the aspect mode is cyclically changed in the order of P-mode, H-mode, and L-mode according to the rotation of the front or rear control dial 33 or 34 (Step #274). It is then discriminated whether a switch Sasp1 which is operated to change the mode has been switched to ON (Step #276). If the switch Sasp1 has been switched to ON, the flag ASP1F is reset (Step #278) upon judgment that the camera is to exit from this mode changing routine and this subroutine proceeds to Step #284. Unless the switch Sasp1 has been switched to ON, this subroutine directly proceeds to Step #284. If the flag ASP1F is not set in Step #272, it is discriminated whether the switch Sasp1 has been switched to ON (Step #280). If the switch Sasp1 has been switched to ON, the flag ASP1F is set (Step #282) upon judgment that the aspect mode is to be changed and this subroutine proceeds to Step #284. This subroutine directly proceeds to Step #284 unless the switch Sasp1 has been switched to ON. In Step #284, it is discriminated whether a flag ASP2F is set. The flag ASP2F indicates that the aspect mode is to be changed in the electronic still image photographing mode or motion image photographing mode. If this flag ASP2F is set, the aspect mode is alternately changed between H-mode and N-mode according to the rotation of the front or rear control dial 33 or 34 (Step #286). It is then discriminated whether a switch Sasp2 which is operated to change the aspect mode has been switched to ON (Step #288). If the switch Sasp2 has been switched to ON, the flag ASP2F is reset (Step #290) upon judgment that the camera is to exit from this mode changing routine and this subroutine returns. Unless the switch Sasp1 has been switched to ON, this subroutine directly returns. If the flag ASP2F is not set in Step #284, it is discriminated whether the

switch Sasp2 has been switched to ON (Step #292). If the switch Sasp2 has been switched to ON, the flag ASP2F is set (Step #294) upon judgment that the aspect mode is to be changed and this subroutine returns. This subroutine directly returns unless the switch Sasp2 has been switched to ON. (col. 23, line 36 through col. 24, line 16)

Thus, *Ootsuka* merely discloses alternately changing the aspect mode between a H-mode and an N-mode for a motion image photographing mode or an electronic still image photographing mode. Nothing in *Ootsuka* shows, teaches or suggests a mode selector switch for selecting among a plurality of shooting and reproducing modes as claimed in claims 39 and 41.

Since nothing in *Inoue* or *Ootsuka* shows, teaches or suggests a mode selector switch for selecting among a plurality of shooting and reproducing modes as claimed in claims 39 and 41, it is respectfully requested that the Examiner withdraws the rejection to claims 39 and 41 under 35 U.S.C. §103.

Claims 33, 37, 40 and 42 recite additional features. It is respectfully submitted that claims 33, 37, 40 and 42 would not have been obvious within the meaning of 35 U.S.C. §103 over *Inoue* and *Ootsuka* at least for the reasons as set forth above. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 33, 37, 40 and 42 under 35 U.S.C. §103.

Thus it now appears the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

If for any reason the Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the

applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, applicants respectfully petition for an appropriate extension of time. The fees for such extension of time may be charged to our Deposit Account No. 02-4800.

In the event that any additional fees are due with this paper, please charge our Deposit Account No. 02-4800.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

Ellen Marcie Emas  
Registration No. 32,131

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: November 13, 2001

**Marked-up Claims 31, 35, 39 and 41**

31. (Twice Amended) A photographing apparatus comprising:

a first recording section for recording, on a first recording medium, mainly still pictures together with information relating to the still pictures thus recorded;

a second recording section capable of recording, on a second recording medium, moving pictures and also pictures to be reproduced as still pictures; and

a mode selector switch for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which the still picture and information relating thereto are recorded on the first recording medium, a mode in which the moving picture is recorded on the second recording medium, and a mode in which the picture to be reproduced as the still picture is recorded on the second recording medium, said reproducing modes including a mode in which information relating to the still picture recorded on the first recording medium is displayed, a mode in which the moving picture recorded on the second recording medium is reproduced, a mode in which the picture recorded on the second recording medium so as to be reproduced as the still picture is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the second recording medium.

35. (Twice Amended) A photographing apparatus comprising:

a first recording section for recording, on a first recording medium, mainly still pictures together with information relating to the still pictures thus recorded;

**Marked-up Claims 31, 35, 39 and 41**

a second recording section capable of recording, on a second recording medium, moving pictures and still pictures; and

a mode selector switch for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which the still picture and information relating thereto are recorded on the first recording medium, a mode in which the moving picture is recorded on the second recording medium, and a mode in which the still picture is recorded on the second recording medium, said reproducing modes including a mode in which information relating to the still picture recorded on the first recording medium is displayed, a mode in which the moving picture recorded on the second recording medium is reproduced, a mode in which the still picture recorded on the second recording medium is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the second recording medium.

39. (Twice Amended) A photographic apparatus comprising:

a recording section capable of recording, on a recording medium, moving pictures and also pictures to be reproduced as still pictures;

a mode selector switch for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which the moving picture is recorded on the recording medium and a mode in which the picture to be reproduced as the still picture is recorded on the recording medium, said reproducing modes include a mode in which the moving picture recorded on the recording medium is reproduced, a mode in which the



**Marked-up Claims 31, 35, 39 and 41**

picture recorded on the recording medium so as to be reproduced as the still picture is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the recording medium; and

an aspect ratio selector for varying, in any of the modes in which the moving picture is recorded, an aspect ratio of the picture.

41. (Amended) A photographic apparatus comprising:

a recording section capable of recording, on a recording medium, moving pictures and still pictures;

a mode selector switch for selecting among a plurality of shooting and reproducing modes, said shooting modes including a mode in which the moving picture is recorded on the recording medium and a mode in which the still picture is recorded on the recording medium, said reproducing modes include a mode in which the moving picture recorded on the recording medium is reproduced, a mode in which the still picture recorded on the recording medium is reproduced, and a mode in which the still picture is reproduced out of the picture recorded as the moving picture on the recording medium; and

an aspect ratio selector for varying, in any of the modes in which the moving picture is recorded, an aspect ratio of the picture.